

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**In re:** :  
: **Case No.: 20-14495**  
**Andrew R Gross** : **Chapter 13**  
: **Judge Magdeline D. Coleman**  
**Debtor(s)** : **\*\*\*\*\***

**OBJECTION OF WELLS FARGO BANK, N.A. TO MOTION TO MODIFY PLAN**  
**(DOCKET NUMBER 46, 48)**

Wells Fargo Bank, N.A. ("Creditor") by and through its undersigned counsel, objects to the currently proposed Motion to Modify Plan ("Plan") filed by Andrew R Gross ("Debtor") as follows:

1. Creditor holds a security interest secured by a mortgage lien on Debtor's property commonly known as 325 Peachtree Dr., Jenkintown, PA 19046 ("Property").
2. Creditor has filed Proof of Claim number 2 in the amount of \$70,788.00. This amount includes a pre-petition arrearage in the amount of \$706.24.
3. Debtor's Plan does not provide for the arrearage due on Creditor's claim.
4. Creditor has not offered a permanent loan modification agreement to Debtor for the subject loan (Debtor has two loans with Creditor for the Property).
5. Debtor's Plan therefore represents an impermissible modification of Creditor's claim and a violation of 11 U.S.C. §§1322 and 1325.

WHEREFORE, Creditor respectfully requests that the Court deny the Debtor's currently proposed Motion to Modify Plan.

Respectfully submitted,

/s/ Sarah E. Barngrover  
Sarah E. Barngrover, Esquire (323972)  
Adam B. Hall (323867)  
Manley Deas Kochalski LLC

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Attorneys for Creditor  
The case attorney for this file is Sarah E.  
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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing Objection of Wells Fargo Bank, N.A. to the Motion to Modify Plan was served on the parties listed below via e-mail notification:

Office of U.S. Trustee, Party of Interest, (Registered address)@usdoj.gov

William C. Miller, Esq., Chapter 13 Trustee, P.O. Box 1229, Philadelphia, PA 19105,  
ecfemails@ph13trustee.com

Brad J. Sadek, Attorney for Andrew R Gross, Sadek and Cooper, 1315 Walnut Street, Suite 502, Philadelphia, PA 19107, brad@sadeklaw.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on August 4, 2021:

Andrew R Gross, 325 Peach Tree Drive, Jenkintown, PA 19046

Andrew R Gross, 325 Peachtree Dr, Jenkintown, PA 19046-0000

DATE: August 4, 2021

/s/ Sarah E. Barngrover

Sarah E. Barngrover, Esquire (323972)

Adam B. Hall (323867)

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